

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

LAUREN ADELE OLIVER,

Plaintiff,

vs

1:20-CV-00237-KK-SCY

MEOW WOLF, INC., a Delaware
corporation; VINCE KADLUBEK,
an individual and officer; and
DOES 1-50,

Defendants.

VIDEOGRAPH DEPOSITION OF DREW LENIHAN

(via Zoom)
JANUARY 26, 2022
9:16 a.m.

PURSUANT TO THE NEW MEXICO FEDERAL RULES OF
CIVIL PROCEDURE this deposition was:

TAKEN BY: BENJAMIN ALLISON, ESQ.

REPORTED BY: KIM KAY SHOLLENBARGER, RPR
NEW MEXICO CCR#236
PAUL BACA PROFESSIONAL COURT REPORTING
500 4th STREET, NORTHWEST, SUITE 105
ALBUQUERQUE, NEW MEXICO 87102

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1 Brewery warehouse, Fastenal, the bowling alley. Yeah,
 2 between those, all of those locations, yeah, there were
 3 plenty of meetings.
 4 **Q. There were plenty of meetings, okay. Before I ask you**
 5 **about this, how about if we take a ten minute break and then**
 6 **we'll come back and go until we break for lunch.**
 7 A. How much longer is this going to take?
 8 **Q. I would say, I have probably another hour, hour and a**
 9 **half.**
 10 A. All right.
 11 THE VIDEOGRAPHER: We're going off the record. Time
 12 is 11:24.
 13 (Recess at 11:24 a.m. to 11:43 a.m.)
 14 THE VIDEOGRAPHER: We are back on the record. Time
 15 is 11:43.
 16 **Q. (Mr. Allison) Great, thank you. Mr. Lenihan, we were**
 17 **talking before the break about Meow Wolf meetings. Do you**
 18 **remember that?**
 19 A. Yes.
 20 **Q. And you said you went to a lot over about a year**
 21 **period, various locations, Fastenal, Second Street warehouse,**
 22 **bowling alley. And were many of those meetings All Shrimps**
 23 **meetings or all of them?**
 24 MR. BOYD: Form.
 25 A. Yes, some were not. Some were more artist fabrication

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1 meetings or meetings learning about certain studio equipment.
 2 **Q. (Mr. Allison) Let me ask you about the All Shrimps**
 3 **meetings, what was the format of those in terms of who led**
 4 **them and who spoke?**
 5 A. It would go like this, are you ready to start? Yeah.
 6 Are you ready to start? Yeah. The meeting, yeah. It went
 7 something like that, is how they went, yeah.
 8 **Q. Were these pep talks, partly?**
 9 **A. Yeah, I would say they were -- yeah, it was kind of**
 10 **like being in a mix of a cult and a football team, yeah,**
 11 **sure.**
 12 **Q. When you say that, are you saying that there was a**
 13 **level of excitement and emotion that the group had at these?**
 14 A. Yes.
 15 **Q. Were these meetings updates on a variety of things, or**
 16 **what was the general contact?**
 17 A. Yeah, it was a place to share and gain information.
 18 **Q. Do you remember Vince talking at these meetings?**
 19 A. Yes, Vince would talk a lot at this type of meeting.
 20 **Q. Do you remember him talking about his efforts to get**
 21 **investors to invest in Meow Wolf?**
 22 A. Yeah, definitely.
 23 **Q. Tell me about that, what did he say?**
 24 A. I mean, I remember him like leading around investors
 25 during the build-out of the bowling alley and -- yeah. I

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1 don't know, I think there was some explanation as to why
 2 investment was needed.
 3 **Q. What was that explanation?**
 4 A. That there would be -- yeah, that there was a lot of
 5 like start-up costs for making Meow Wolf work as a company.
 6 **Q. Did you understand from those meetings that without**
 7 **investors there wouldn't be the ability to pull off this**
 8 **project House of Eternal Return, do the build and open it to**
 9 **the public?**
 10 MR. BOYD: Form.
 11 A. Yeah, I would say the consensus was, sure, that the
 12 process needed capital.
 13 **Q. (Mr. Allison) Were the artists in the meetings happy**
 14 **and excited that there were investors and that the project**
 15 **was moving forward because of investors?**
 16 MR. BOYD: Form.
 17 A. I can't really -- I cannot comment on the sentiment
 18 artists had towards the idea of investment.
 19 **Q. (Mr. Allison) Let me ask you about you, that's fair.**
 20 **Were you, were you happy that the project was moving forward**
 21 **because investors were putting money capital into Meow Wolf?**
 22 MR. BOYD: Form.
 23 A. I do not think I gained joy from that, no.
 24 **Q. (Mr. Allison) Did you gain joy from being able to do**
 25 **your project?**

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1 A. Yes.
 2 **Q. Do you remember Vince telling artists that investing in**
 3 **Meow Wolf was at that point open to artists?**
 4 MR. BOYD: Form.
 5 **Q. (Mr. Allison) Meaning that people attending the All**
 6 **Shrimps meetings could buy equity in Meow Wolf?**
 7 MR. BOYD: Form.
 8 A. Yeah, I mean -- yes, that was a talking point at some
 9 point.
 10 **Q. (Mr. Allison) Tell me what you remember about that**
 11 **meeting.**
 12 A. I don't, I don't, I don't remember a specific meeting.
 13 I remember -- I feel like I read more, like in kind of like a
 14 Facebook group or something about this type of thing.
 15 **Q. Did you understand -- sorry, were you finished?**
 16 A. I feel like all of that happened almost after the House
 17 was open, if I'm remembering correctly. This is like, I'm
 18 referencing when Meow Wolf allowed people to buy stock,
 19 essentially, of the company.
 20 **Q. Right.**
 21 A. Or equity, as you say.
 22 **Q. Stock works. Do you remember hearing from Vince that**
 23 **artists could buy stock in Meow Wolf, at some point?**
 24 MR. BOYD: Form.
 25 A. Yeah, I remember hearing from Vince or -- yeah, one of

16 (Pages 58 to 61)

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1 **artist contract meeting you told us about?**

2 MR. BOYD: Form and foundation.

3 A. Yes, they are the same.

4 **Q. (Mr. Allison) Say that again.**

5 A. Yes, they are the same.

6 **Q. Did Vince say anything in artist meetings during the**
 7 **build of the House of Eternal Return that contradicted the**
 8 **terms he explained in that artist contract meeting or in the**
 9 **written contract we looked at?**

10 MR. BOYD: Form.

11 A. Can you say that again.

12 **Q. (Mr. Allison) Yes. Did Vince say anything in artist**
 13 **meetings during the build of the House of Eternal Return that**
 14 **contradicted the artist contract that we looked at and that**
 15 **he explained in the artist contract meeting?**

16 A. I can't say definitively exactly what Vince
 17 contradicted himself on, but I'm sure he contradicted himself
 18 at some point.

19 **Q. You say that because human beings do that or do you**
 20 **have --**

21 A. Yes, human beings do that, yes.

22 **Q. Do you have any specific memory of Vince contradicting**
 23 **anything in the artist bonus program contract?**

24 MR. BOYD: Form.

25 A. No. I'm going to say, at the time, no, I do not.

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1 **Q. (Mr. Allison) And when I say --**

2 A. I don't, I don't -- yeah, I just don't know
 3 specifically -- I do not see him contradicting himself about
 4 the revenue share program. I think the revenue share program
 5 was articulated and explained to anyone who signed a
 6 contract, right.

7 **Q. And would you agree that it was articulated and**
 8 **explained to anyone who went to the contract meeting that you**
 9 **described at Second Street Warehouse?**

10 MR. BOYD: Form.

11 A. Yeah. I mean, I think it was explained. I think
 12 people had questions, and yeah. I don't know, some of those
 13 questions were answered and some were not.

14 **Q. (Mr. Allison) Did artists ask questions about the**
 15 **artist revenue sharing program at All Shrimps meetings?**

16 A. Yeah. I mean, it was a time and space to bring up any
 17 type of logistical or structural concern.

18 **Q. So if an artist had confusion or concern about the**
 19 **artist revenue sharing program they could have asked at one**
 20 **of these meetings and gotten clarity?**

21 A. Yes. If you wanted to ask a question you could raise
 22 your hand and ask a question.

23 **Q. You remember artists asking about the revenue sharing**
 24 **program during these meetings?**

25 MR. BOYD: Form.

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1 A. I don't remember like specific questions or artists,
 2 but I do remember listening to Vince, Corvas and probably
 3 Matt King talk about the revenue share program.

4 **Q. (Mr. Allison) Do you remember what they said? And tell**
 5 **me what they said, if you remember.**

6 A. I mean, I think -- you know, going back to like a pep
 7 talk mentality, yeah. It's like, we're all working so hard
 8 and here's how we'll be compensated some day.

9 **Q. Understood. And they were referring to the structure**
 10 **of the artist revenue sharing program?**

11 MR. BOYD: Form.

12 A. Yeah, if we, if we make -- if we -- if this is
 13 successful, then you'll be paid more. Your compensation is
 14 based on the success of this venture.

15 **Q. (Mr. Allison) And that was true under the artist**
 16 **revenue sharing program or the Exhibit 5 contract that you**
 17 **signed, right?**

18 MR. BOYD: Form.

19 A. Yes.

20 **Q. (Mr. Allison) Did you say yes?**

21 A. Yes.

22 **Q. In any of these meetings during the build of the House**
 23 **were you and the other artists ever promised an unlimited**
 24 **share of Meow Wolf's revenue?**

25 MR. BOYD: Form.

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1 A. An unlimited share?

2 **Q. (Mr. Allison) Right.**

3 A. No, I was never promised an unlimited share.

4 **Q. During any of these meetings during the build of the**
 5 **House were you or other artists promised to be given stock in**
 6 **Meow Wolf?**

7 MR. BOYD: Form.

8 A. No.

9 **Q. (Mr. Allison) During any of these artists meetings**
 10 **during the build of the House were you or other artists**
 11 **promised to be given stock options in Meow Wolf?**

12 MR. BOYD: Form.

13 A. Not that I recall.

14 **Q. (Mr. Allison) And based on what you said before, you**
 15 **don't have any reason -- way to know if Lauren Oliver was at**
 16 **any of these meetings, because you didn't know who she was,**
 17 **right?**

18 A. I do not know who she is. But I only like stood next
 19 to her, you know, like -- there was a bunch of people at
 20 these meetings.

21 **Q. Right. During any of these artist meetings during the**
 22 **build of the House did you understand that Vince was making a**
 23 **compensation contract with you in the meeting?**

24 MR. BOYD: Form.

25 A. Can you say that again.

18 (Pages 66 to 69)

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1 Q. (Mr. Allison) Yeah, it's a little bit of an odd
 2 question, but I'm just asking, during any of these artist
 3 meetings did you ever think that Vince's statements formed a
 4 compensation contract with you, separate from the one you
 5 already had?
 6 A. I did not take Vince's pep talks as a legal document,
 7 if that answers the question.
 8 Q. I think it does. Was there talk in the meetings about
 9 Meow Wolf as a collective?
 10 A. Sure.
 11 Q. Tell me about that.
 12 A. Yeah, it was -- at this point it's a company that has a
 13 facade and a culture of an art collective.
 14 Q. Facade and a culture of a collective, is that what you
 15 said?
 16 A. Yes.
 17 Q. What did the facade and the culture of the collective
 18 mean to you?
 19 MR. BOYD: Form.
 20 A. Honestly, not that much. I felt pretty isolated and
 21 almost ostracized by the group. I think a lot of people were
 22 favored more than other artists, depending on their social
 23 relationship to this kind of inner circle of people.
 24 Q. (Mr. Allison) Who was the inner circle of people?
 25 A. The people who would go on to appoint themselves as the

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1 founders and --
 2 Q. Do you mean Vince, Caity, Sean, Matt King, Corvas,
 3 Emily?
 4 A. Yep.
 5 Q. Would you be surprised to learn that those people were
 6 voted in as core members in those -- in 2011, after the Do
 7 Return?
 8 MR. BOYD: Form, foundation.
 9 A. Wait, can you say that again.
 10 Q. (Mr. Allison) Well, you told me you went to one meeting
 11 around the period of the Do Return, right, but you didn't go
 12 to any others.
 13 A. Yes.
 14 Q. I said, would you be surprised to learn that at other
 15 of those meetings around the time of the Do Return, that
 16 Vince, Sean, Caity, Emily, Matt, Corvas, I hope I didn't
 17 leave anyone out, were voted in by the entire group as core
 18 members?
 19 MR. BOYD: Form, foundation.
 20 A. I'm like not -- I'm not surprised, no.
 21 Q. (Mr. Allison) Because you said they appointed
 22 themselves. Do you have any personal knowledge about them
 23 appointing themselves?
 24 A. I mean -- how about this, no comment.
 25 Q. Well, I understand, but this is -- you're under oath

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1 and here we are, so I need to ask you. You said they
 2 appointed themselves. Do you actually know if they appointed
 3 themselves?
 4 A. I do not, no.
 5 Q. I understand there's the social element, that you felt
 6 ostracized and alone and outside that inner circle social
 7 element. Was there any other aspect of Meow Wolf as a
 8 collective that you experienced?
 9 MR. BOYD: Form.
 10 A. Is there any element of Meow Wolf as a collective that
 11 I experienced?
 12 Q. (Mr. Allison) That's not a very good question, is it.
 13 Let me try it again. I'm just trying to understand what you
 14 meant when you said that the collective aspect of Meow Wolf
 15 was a facade and a culture.
 16 A. Yes.
 17 Q. Have you explained everything you mean by that?
 18 MR. BOYD: Form.
 19 A. Yeah, I stand by my statement, Meow Wolf the company
 20 had a facade being a collective and the culture of the
 21 company was based on the spirit of collaboration between
 22 artists, which in the definition of an artist collective is
 23 how an art collective thrives.
 24 Q. (Mr. Allison) Is how an art collective thrives?
 25 A. Sure.

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1 Q. So the spirit of the collective is collaboration
 2 between artists, is that fair to say?
 3 MR. BOYD: Form.
 4 A. Yes.
 5 Q. (Mr. Allison) Were there financial terms associated
 6 with your understanding of the collective?
 7 MR. BOYD: Form.
 8 A. No.
 9 Q. (Mr. Allison) Why do you say that?
 10 A. Because it was very unclear what people's roles would
 11 be after it opened.
 12 Q. Was there talk in the art --
 13 A. I mean, at this time there's like no, there's no
 14 discussion of like a future, or I'm not a part of those
 15 conversations, you know. There's no, there's no talk of like
 16 buying the caterpillar building. There's no talk of like
 17 doing a Denver location. It's about, you know, the company
 18 is the bowling alley.
 19 Q. Right, right. Was there talk in the artist meetings
 20 about the possibility of employment for artists after the
 21 House opened?
 22 A. Yeah, at times. And yeah, I remember there was a form
 23 to fill out for -- yeah, I want to say there was like an
 24 email form about your level of interest in employment and --
 25 yeah, I recall filling that out, having interest in

19 (Pages 70 to 73)